GOVERMENT OF MYSORE

FOOD, CIVIL SUPPLIES AND LABOUR DEPARTMENT

Labour Dispute.—Industrial Dispute between the Workmen and the Management of Keremane Estate, Gangagudige Post. *via* Kalasa Chickmagalur District.

Award of the Labour Court—Hubli Published.

Read the following papers :

(1) Letter No. LCH 1869/72-73, dated 20th November 1972, from Sri H. S. Murdikar, Presiding Officer, Labour Court, Hubli.

BEFORE THE LABOUR COURT AT HUBLI CAMP: CHICKMAGALUR.

Dated the 14th November 1972.

Reference ID LCH Claim No. 90/1972.

Presiding Officer : Shri H. S. Murdikar, B.Sc., LL.B.

Claimant :

Sri H. R. Krishnappa, Writer C/o The Secretary, Estates Staffs' Union of South India, Chickmagalur.

Respondent :

The Management of Keremane Estate, Gangagudige Post, *via* Kalasa, Chickmagalur District.

Reference :

Government Order No. FCL 741 LLD 72, dated 3rd August 1972.
Government Order No. FCL 162(3) LCE 72 dated 26th August 1972.

AWARD

The Government of Mysore in their Order No. FCL 741 LLD 72, dated 3rd August 1972 have referred an Industrial Dispute existing between the abovenamed parties to this Court for adjudication on the points of dispute noted below :

"1 Are the Management of Keremane Estate, Gangagudige Post, *via* Kalasa, Chickmagalur, justified in refusing work to Sri H. R. Krishnappa, Writer with effect from 6th April 1972 and in not paying his full salary fixed at Rs. 160 per month ?

2. If not to what relief, the said workman is entitled ?

2. After the receipt of the reference notice was issued to the claimant to file claim statement. Today when the case was called on the claimant, is representative appeared and filed a memo of compromise and prayed for an Award in terms thereof. It is seen there from that the parties have settled the matter out of Court amicably. The Memo of compromise is marked as Ex."A". I accept the settlement.

3. In the result I pass an Award answering the order of reference in terms of compromise memo which shall be annexed to this Award and be deemed as part of it. No costs.

(Sd)

Camp: Chikmagalur
14-11-1972

H. S. MURDIKAR,
Presiding Officer,
Labour Court, Hubli.

True Copy

H. S. MURDIKAR
Presiding Officer,
Labour Court Hubli.

FORM 'H'

Rule 59

MEMORANDUM OF SETTLEMENT OF THE INDUSTRIAL DISPUTE [UNDER SECTION 12 (3) OF THE INDUSTRIAL DISPUTES ACT],

Parties

Representing the Employer:

Shri. M. R. Narayana Rau, B.Sc.,B.L.. Prop: Keremane Estate, Gangagvdige P,O., *Via* Kalasa, Chickmagalur District

Representing the Employee:

Shri P. H. Pinto, Secretary for Mysore, Estates Staffs. Union of South India, ESUSI House, Vijayapura, Chikmagalur

Short Recital of the Case

A dispute arose regarding the termination of services of Shri H. R. Krishnappa, Writer with effect from 6th April 1972 *vide* a complaint No. 132-204-72 dated 12th April 1972 from the Secretary for Mysore, ISUSI, Chickmagalur. Since the matter was conciliated and ended in failure a report was sent to the Government as per the provisions of the Industrial Disputes Act. In the meanwhile the parties have again approached the undersigned and desire to settle the outstanding issues between them on the following terms and conditions. Accordingly I have taken up this dispute on my file once again to facilitate the settlement as follows:

Terms of Settlement

1. The Management agrees to pay a sum of Rs. 2,000 (Rupees Two Thousand only) in full and final settlement of all the claims regarding Bonus, Leave with wages, and the termination of services of Shri. H. R. Krishnappa.
2. The employee agrees to receive the above amount in full satisfaction of all his claims and does not press for reinstatement in consideration of the above payment.
3. The management agrees to pay the above amount within a month from to date in cash to the employee. and the payment of which will be made either in the presence of the Labour Officer, Chikmagalur or Shri. P. H. Pinto, Secretary for Mysore, Estates Staffs' Union of South India, Chickmagalur representing the workman.

4. The employee agrees to vacate the quarters on the estate within 7 days from the receipt of the above amount from the employer.

Both the parties have accepted the above terms in full and final settlement of the dispute and affix their signatures in witness thereof on this day the 10th day of August 1972.

Representing employer — *Representing employe*

Sd/- M. B. Narayana Rao, — Sd/- P. H. Pinto

Witness:

1. Sd. (H. B. Krishnappa).
2. Sd.

BEFORE ME

Sd/

Labour Officer And Conciliation Officer, Chikmagalur.

True Copy

H. S. Muradikar
Presiding Officer,
Labour Court, Hubli.

ORDER

Bangalore dated 6th December 1972.

S. O. 114.—WHEREAS by State Government Order No. FCL 741 LLD 72, dated 3rd August 1972, the Industrial Dispute between the Workmen and the Management of Keremane Estate, Gangagudige Post *via* Kalasa Chickmagalur District was referred to the Labour Court, Hubli for adjudication;

AND, WHEREAS, the Labour Court, Hubli has submitted to the State Government its award in respect of the said Industrial Dispute;

NOW, THEREFORE, in exercise of the powers conferred by Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947), the Government of Mysore are pleased to direct the publication of the said award as above, in the *Mysore Gazette.*

[No. FCL 242 LLA 72.]

By Order and in the name of the Governor of Mysore,

ANIRUDHA DESAI,
Under Secretary to Government,
Food, Civil Supplies and Labour Department.